

01/26/01
U.S. PTO

STEIN, KESSLER, GOLDSTEIN & FISHER, P.L.L.C.

ATTORNEYS AT LAW

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1100 U.S. PTO
09/769420

01/26/01
Barcode

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January 26, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2630

INTERNET ADDRESS:

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Commissioner for Patents

Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. (to be assigned); filed (herewith)
For: **Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof**
Inventors: Cai *et al.*
Our Ref: 1735.0440001/RWE/BEC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (Form PTO/SB/17) (in duplicate);
2. Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof

and naming as inventors:

Sui Xiong Cai
John A. Drewe

Commissioner for Patents
January 26, 2001
Page 2

the application consisting of:

- a. A specification containing:
 - i. 61 pages of description prior to the claims;
 - ii. 17 pages of claims (claims 1-73); and
 - iii. 1 page abstract;
 - b. Five (5) sheets of drawings (Figures 1A-1B; 2; 3A-3B; 4A-4B and 5); and
 - c. An original executed Declaration;
4. Authorization To Treat A Reply As Incorporating An Extension Of Time Under 37 C.F.R. § 1.136(a)(3) (in duplicate);
5. Recordation Form Cover Sheet;
6. An original executed Assignment to Cytovia, Inc., recordation of which is hereby respectfully requested;
7. An original executed Power of Attorney from Assignee;
8. A Certificate under 37 C.F.R. § 3.73(b) from Assignee with a copy of the Assignment attached;
9. Two (2) return postcards; and
10. Our check No. 30178 for \$1,527.00 to cover:

\$ 355.00	Basic filing fee (37 C.F.R. § 1.16(a));
160.00	Independent claims in excess of three (37 C.F.R. § 1.16(b));
837.00	Claims-in-excess-of-twenty-(37-C.F.R. § 1.16(c));
135.00	Multiple dependent claim (37 C.F.R. § 1.16(d));
40.00	Assignment recordation fee (37 C.F.R. § 1.21(h)).

Commissioner for Patents

January 26, 2001

Page 3

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bruce E. Chalker

Bruce E. Chalker
Agent for Applicants
Registration No. P-47,480

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Enclosures

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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	1735.044001/RWE/BEC
First Inventor	Sui Xiong Cai et al.
Title	Substituted Nicotinamides and Analogs as Activators of Caspases and Inducers of Apoptosis and the Use Thereof
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 79]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 2]
 a. Newly executed (original or copy)
 b. Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
 i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Appendix
 8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 a. Computer Readable Form (CRF)
 b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper
 c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Request and Certification u under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Authorization under 37 C.F.R. § 1.136(a)(3)

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

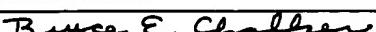
Continuation Divisional Continuation-in-Part (CIP) of prior application No: _____ / _____
Prior application information: Examiner _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label  or Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. 26111 Attorneys at Law PATENT TRADEMARK OFFICE				
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CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY	USA	TELEPHONE	(202) 371-2600		FAX (202) 371-2540

NAME (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	P-47,480
SIGNATURE		Date	01/26/2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$1,527.00)	Attorney Docket No.	1735.0440001/RWE/BEC
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METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																			
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number 19-0036</p> <p>Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.C.</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>Fee Code</td><td>Fee (\$)</td><td>Fee Code</td><td>Fee (\$)</td></tr> <tr><td>105</td><td>130</td><td>205</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td></tr> <tr><td>581</td><td>40</td><td>481</td><td>40</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td></tr> <tr><td colspan="4">Other fee (specify):</td></tr> <tr><td colspan="4">Other fee (specify):</td></tr> </tbody> </table>				Large Entity	Small Entity	Fee Description	Fee paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	127	50	227	25	139	130	139	130	147	2,520	147	2,520	112	920*	112	920*	113	1,840*	113	1,840*	115	110	215	55	116	390	216	195	117	890	217	445	118	1,390	218	695	128	1,890	228	945	119	310	219	155	120	310	220	155	121	270	221	135	138	1,510	138	1,510	140	110	240	55	141	1,240	241	620	142	1,240	242	620	143	440	243	220	144	600	244	300	122	130	122	130	123	130	123	130	126	180	126	180	581	40	481	40	146	710	246	355	149	710	249	355	179	710	279	355	169	900	169	900	Other fee (specify):				Other fee (specify):			
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<p>** or number previously paid, if greater; For Reissues, see above</p>																																																																																																																																							

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)	Bruce E. Chalker	Registration No. (Attorney/Agent)	P-47,480	Telephone	202-371-2600
Signature	<i>Bruce E. Chalker</i>		Date	01/26/2001	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cai *et al.*

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Art Unit: (To be assigned)

Examiner: (To be assigned)

Atty. Docket: 1735.0440001/RWE/BEC

J1000 U.S. Pro
09/769420
01/26/01



**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Bruce E. Chalker

Bruce E. Chalker
Agent for Applicants
Registration No. P-47,480

Date: January 26, 2001

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Suite 600
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(202) 371-2600